



503.36984X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: HIYAMA et al
Serial No.: 09/270,780
Filed: March 17, 1999
For: Liquid Crystal Display Device
Art Unit: 2871
Examiner: Z. Qi

RESPONSE

Mail Stop: Response (No Fee)
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 9, 2005

Sir:

The following remarks are respectfully submitted in connection with the above-identified application, in response to the Office Action dated February 9, 2005.

The Examiner is thanked for the indication concerning amended claims in the office action noting that claim 20 should be indicated as previously presented and that the second numbered claim 51 and the subsequent claims have been renumbered as claims 52 - 55.

As to the requirement for restriction to one of the inventions identified by the Examiner has Invention I - claims 1 - 3, 5 - 8, 10, 12, 26; 13 - 15, 17 - 18, 30; 20 - 22, 34; 35 - 41; 44 - 49 and 51- 52, drawn to a reflective polarizer, classified in class 349, subclass 96; Invention II - claims 11, 19, 42 - 43 and 50, drawn to a relationship between the projected light from the illumination device, classified in class 349, subclass 99; and Invention III - claims 25, 29, 33 and 53 - 55, drawn to pixel structure, classified in class 349, subclass 143; the requirement is traversed as being

improper, and reconsideration and withdrawal of the requirement are respectfully requested.

For example, claim 50, which the Examiner contends is within invention II and drawn to a relationship between the projected light from the illumination device, also recites the feature of a reflective polarizer of invention 1, such that the Examiner's contentions concerning restriction therebetween is not understood, and the Examiner's allegation of distinct inventions is contrary to the claimed subject matter. See, also, for example, claim 11 of invention II which also recites a reflective polarizer of invention I. In a similar manner, claim 25 of invention III as well as claims 53 - 55 of invention III also recite the feature of a reflective polarizer of invention I such that the Examiner's contentions concerning restriction and distinctness therebetween is improper and not understood. Accordingly, applicants submit that the Examiner's basis for distinction is improper and should be withdrawn.

In order to provide a complete response to the restriction requirement, applicants provisionally elect, with traverse, invention I, as identified by the Examiner including claims 1 - 3, 5 - 8, 10, 12, 26; 13 - 15, 17 - 18, 30; 20 - 22, 34; 35 - 41; 44 - 49 and 51 - 52, while noting that other claims of inventions II and III also recite the feature of a "reflective polarizer" and should be considered therewith.

The Examiner has indicated that if applicant elects Group I (invention I), then a further election of one of the species is required, which species is identified by the Examiner as:

- (1) the reflective polarizer comprising a cholesteric layer and a quarter wave plate [claims 1 - 3, 5 - 8, 10, 12, 26; 13 - 15, 17 - 18, 30; 20 - 22 and 34]; and

(2) the reflective polarizer comprising an uniaxial anisotropic transparent medium and an isotropic transparent medium [claims 35 - 41; 44 - 49 and 51 - 52].

As pointed out above, other claims of this application, not forming part of invention I, recite the feature of a reflective polarizer and should be considered, such that the Examiner's requirement for election of species is considered improper.

In order to provide a complete response to the election requirement, applicants provisionally elect, with traverse, species (I) including the reflective polarizer comprising a cholesteric layer and a quarter wave plate [claims 1 - 3, 5 - 8, 10, 12, 26; 13 - 15, 17 - 18, 30; 20 - 22 and 34] as identified by the Examiner.

In view of the above remarks, applicants request withdrawal of the restriction and election requirement and favorable action with respect to all claims present in this application.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 503,36984X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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